

**FILED**

**JUL 21 2006**

**NOT FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON, CLERK**  
**U.S. COURT OF APPEALS**

GUADALUPE GARCIA MENDOZA; et  
al.,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney  
General,

Respondent.

No. 06-71189

Agency Nos. A95-182-457  
A95-182-459

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 17, 2006 <sup>\*\*</sup>

Before: B. FLETCHER, HAWKINS and THOMAS, Circuit Judges.

We have reviewed the response to the court's April 19, 2006, order to show  
cause, and we conclude that petitioner Guadalupe Garcia Mendoza has failed to

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<sup>\*</sup> This disposition is not appropriate for publication and may not be  
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> This panel unanimously finds this case suitable for decision without  
oral argument. *See* Fed. R. App. P. 34(a)(2).

06-71189

raise a colorable constitutional claim to invoke our jurisdiction over this petition for review. *See Falcon Carriche v. Ashcroft*, 350 F.3d 845 (9th Cir. 2003); *Jimenez-Angeles v. Ashcroft*, 291 F.3d 594, 602-03 (9th Cir. 2002) (upholding constitutionality of NACARA); *Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Accordingly, we dismiss this petition for review for lack of jurisdiction with respect to petitioner Garcia Mendoza. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

Petitioner Angel de Jesus Aguilar Garcia does not have a qualifying relative for purposes of cancellation of removal. Accordingly, the court summarily denies this petition for review with respect to this petitioner. *See* 8 U.S.C. § 1229b(b)(1)(D); *Molina-Estrada v. INS*, 293 F.3d 1089 (9th Cir. 2002).

**DISMISSED IN PART and DENIED IN PART.**